

JAN 05 2005

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To:

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(703) 872-9306	(571) 272-1921

FROM: Charles D. Holland**DATE:** January 5, 2005

Number of pages with cover page: 17

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Comments:Comments: **RESPONSE TO NON-FINAL OFFICE ACTION**

DOCKET NO.: 299002056700

GROUP ART UNIT: 2826

EXAMINER: A. Sefer

SERIAL NO.: 10/625,234

FILING DATE: July 22, 2003

INVENTOR(S): Kentaro TANI

TITLE: SEMICONDUCTOR LIGHT EMITTING DEVICE AND METHOD FOR PRODUCING THE SAME

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal w/duplicate copy for fee processing (2 pages)
3. Petition for Extension of Time (1 page)
4. Amendment/Response (12 pages)

PA-946706

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

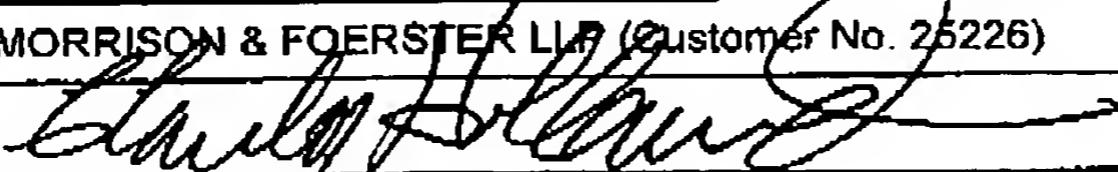
(to be used for all correspondence after initial filing)

		Application Number	10/625,234
		Filing Date	July 22, 2003
		First Named Inventor	Kentaro TANI
		Art Unit	2826
		Examiner Name	A. Sefer
Total Number of Pages in This Submission	16	Attorney Docket Number	299002056700

ENCLOSURES (Check all that apply)

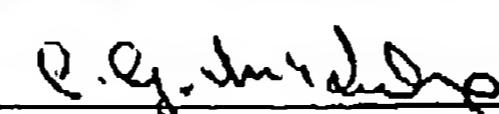
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages) <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
<input checked="" type="checkbox"/> Amendment/Reply(12 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Charles D. Holland		
Date	January 5, 2005	Reg. No.	35,196

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Dated: January 5, 2005

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(Carolyn G. McKubre)

pa-946678

PTO/SB/17 (12-04)

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete If Known	
Fee TRANSMITTAL For FY 2005		Application Number	10/625,234
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	July 22, 2003
TOTAL AMOUNT OF PAYMENT (\$ 120.00)		First Named Inventor	Kentaro TANI
		Examiner Name	A. Sefer
		Art Unit	2826
		Attorney Docket No.	299002056700

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify) _____
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP				
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<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

FEES CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

2. EXCESS CLAIM FEESFee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
20	20 = 0	x 50.00	= 0.00	360.00	0.00
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
3	3 = 0	x 200.00	= 0.00		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

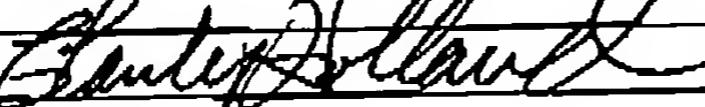
100 = 150 (round up to a whole number) x 250.00 = 0.00

Fees Paid (\$)

120.00

120.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	35,198	Telephone	(650) 813-5832
Name (Print/Type)	Charles D. Holland			Date	January 5, 2005

pa-946677

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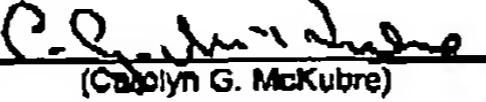
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PAGE 4/17 * RCVD AT 1/5/2005 4:44:50 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/11 * DNI:8729306 * CSID: * DURATION (mm:ss):04:46

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Signature: 
(Carolyn G. McKubre)

Docket No.: 299002056700
Client Ref. No: F5-03859172/03R00206/US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kentaro TANI

Application No.: 10/625,234

Art Unit: 2826

Filed: July 22, 2003

Examiner: A. Sefer

For: SEMICONDUCTOR LIGHT EMITTING
DEVICE AND METHOD FOR PRODUCING
THE SAME

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated September 8, 2004 (Paper No. 20040906), for which a response was due on December 8, 2004. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to January 8, 2005. Accordingly this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

pa-922999